REMARKS

The claims are claims 1 to 18.

The application has been amended at many locations to correct minor errors and to present uniform language throughout. The amendments include correction of those errors noted by the Examiner.

Claims 1 to 6 have been amended. New claims 7 to 20 are added. Claims 1, 3 and 5 have been amended in response to the rejections under 35 U.S.C. 112. New claims 7 to 18 recite subject matter not previously claimed. Claims 1 to 6 have been amended to present respective limitations in separate paragraphs. Claims 1 to 3 are amended to recite that the authorizing steps occur following the step of transmitting the data. Claims 7, 9, 13 and 15 recite locally transmitting via a direct connection between an authorized user/sender apparatus and an unauthorized user/receiver apparatus as taught in the application at page 2, lines 29 to 31. Claims 8, 10, 14 and 16 recite that transmissions take place at two differing bandwidths as taught in the application at page 2, line 29 to page 3, line 5 and page 6, line 23 to page 7, line 3. Claims 11 and 12 recite limited utility of the data before authorization by the trusted agent as taught in the application at page 4, lines 24 to 27. Claim 17 recites that ticket authorization can take place for plural ticket simultaneously as taught in the application at page 5, lines 18 to 22.

Claims 1 and 5 have been amended as suggested by the Examiner in response to the rejections under 35 U.S.C. 112. Similar amendments are made to claim 3 to correct similar problems.

Claim 1 to 4 were rejected under 35 U.S.C. 102(e) as anticipated by Downs et al U.S. Patent No. 6,574,609.

Claims 1, 2 and 3 recite subject matter not anticipated by Downs et al. Claim 1 recites "an authorized user locally

transmitting data to a receiver." Claim 2 recites "an authorized user locally transmitting the data to an unauthorized receiver." Claim 3 recites "the sender locally transmitting both the encrypted data and the encrypted key to the receiver." Downs et al fails to teach that the data is locally transmitted between an authorized user/sender to an unauthorized receiver. According to Downs et al at column 4, lines 31 to 33, Figure 10 illustrates a single end-user device. Thus Figure 10 cannot illustrate the local data transmission between an authorized user/sender and a receiver as recited in claims 1, 2 and 3. Downs et al states at column 78, lines 52 to 59 (including a portion cited in the OFFICE ACTION):

> "The License SC(s) 660 is then sent to the specified Content Hosting Site 111, via http request through the Browser, requesting download of the Content SC(s) 630. When the Content SC(s) 630 comes back to the Browser, the Helper Application 198 is re-invoked again. The SC(s) Processor 192 displays the name of the Content 113 being downloaded along with a download progress indicator and an estimated time to completion."

This disclosure includes mention of "download," "http request" and "browser" and particularly states "the Content 113 being downloaded." Downs et al states at column 23, lines 36 to 40 (cited in the OFFICE ACTION):

> "After receiving the License SC(s) 660, the End-User Device(s) 109 decrypts the Symmetric Key 623 and the Transaction Data 642 previously received from the Clearinghouse(s) 105 and requests the Content SC(s) 630 (step 607) from a Content Hosting Site(s) 111."

Other portions of Downs et al make clear that the Content SC(s) 630 is the secure container version of the desired Content 113. The recitation that the End-User Device requests this Content SC(s) 630 from a Content Hosting Site(s) 111 clearly indicated transmission via the Internet and not locally as recited in claims 1, 2 and 3.

The Applicant respectfully submits these disclosures indicate transmission of data via Internet and not the local data transmission recited in claims 1, 2 and 3. Accordingly, claims 1, 2 and 3 are allowable over Downs et al.

Claims 1, 2 and 3 recite further subject matter not anticipated by Downs et al. Claims 1, 2 and 3 each recite that the authorizing steps are "following said locally transmitting step." Downs et at states at column 78, lines 47 to 54 (just following the portion cited in the OFFICE ACTION):

> "When the Clearinghouse(s) 105 returns the License SC(s) 660, the Helper Application 198 is re-invoked to process the License SC(s) 660. The License SC(s) 660 is then opened and the URL of the Content Hosting Site(s) 111 is extracted from the referenced Order SC(s) 650. The License SC(s) 660 is then sent to the specified Content Hosting Site 111, via http request through the Browser, requesting download of the Content SC(s) 630."

This portion of Downs et al clearly discloses a sequence of operations including: the Clearinghouse(s) 105 returning the License SC(s) 660; the license SC(s) 660 is sent to the Content Hosting Site 111; and lastly requesting download of the Content SC(s) 630. Downs et al states at column 23, lines 36 to 40 (quoted above) that the End-User Device(s) 109 requests the Content SC(s) 630 "After receiving the License SC(s) 660." Thus Downs et al discloses negotiating and obtaining a license before transmission of the data. This disclosure is contrary to the recitations of claims 1, 2 and 3. Thus claims 1, 2 and 3 are allowable over Downs et al.

Claims 5 and 6 were rejected under 35 U.S.C. 103(a) as made obvious by the combination of Downs et al U.S. Patent No. 6,574,609 and Jones et al. U.S. Patent No. 6,697,944.

Claim 5 recites subject matter not made obvious by the combination of Downs et al and Jones et al. Claim 5 recites "the

sender locally transmitting the un-encrypted data to the receiver." As noted above, Downs et al teaches transmission of the content data via the Internet and not by the recited local transmission. Accordingly, claim 5 is allowable over the combination of Downs et al and Jones et al.

Claims 7 to 18 recite subject matter not made obvious by the combination of Downs et al and Jones et al. Claims 7, 9, 13 and 15 recite that the local connection is a direct connection between an apparatus of the sender and an apparatus of the receiver. Downs et al and Jones et al do not teach this direct connection. Claims 8, 10, 14 and 16 each recite two differing bandwidth connections. A first bandwidth connection transmits the data and a lower second bandwidth connection is used for the license negotiation, authorization and ticket transmission. Downs et al and Jones et al teach the same connection for these two differing types of transmissions. Claims 11 and 12 recite that data downloaded before the following authorization is useable at reduced quality. This limitation is not made obvious by the combination of Downs et al and Jones et al. Claim 17 recites that plural tickets can be obtained simultaneously and used singly. This subject matter is not made obvious by the combination of Downs et al and Jones et al.

The Applicants respectfully submit that all the present claims are allowable for the reasons set forth above. Therefore early reconsideration and advance to issue are respectfully requested.

If the Examiner has any questions or other correspondence regarding this application, Applicants request that the Examiner contact Applicants' attorney at the below listed telephone number and address to facilitate prosecution.

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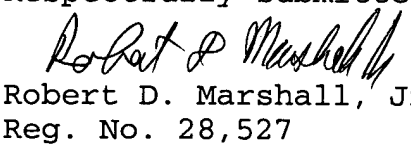
Respectfully submitted,



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In the Drawings

Figure 2 Add reference numeral "25" to box labeled "SENDER."